

REMARKS

Claims 19, and 21-23 are currently pending, wherein claims 1-18, 20, and 24-27 have been canceled and claims 19 and 22 have been amended. Favorable reconsideration is respectfully requested.

In paragraph 2 of the Office action ("Action"), the Examiner objects to the abstract. Applicant hereby submits a new abstract as requested by the Examiner.

In paragraph 3 of the Action, the Examiner objects to claim 19 for containing the acronym SMS. Claim 19 has been amended to address the Examiner's concerns.

In paragraph 4 of the Action, the Examiner objects to claim 22 as being of improper dependent form. Claim 22 has been amended, thereby addressing the Examiner's concerns.

In paragraph 6 of the Action, the Examiner rejects claim 22 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claim 22 has been amended, thereby rendering this rejection moot.

In paragraph 8 of the Action, the Examiner rejects claims 19, 21, and 23 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 6,085,100 to Tarnanen in view of U.S. Patent Application Publication No. 2002/0028686 to Kagi. Applicant respectfully traverses this rejection.

In order to support a rejection under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness three criteria must be met. First, there must be some motivation to combine the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 19, 21 and 23 are patentable over the combination of Tarnanen and Kagi for at least the reason that the combination fails to disclose or suggest assigning a unique reply address to an SMS message from a multiplicity of available predefined reply addresses as claimed.

In rejecting claim 19, the Examiner asserts that Tarnanen discloses assigning a reply address to an SMS message from a multiplicity of available reply addresses in as much as Tarnanen discloses generating a temporary source address by combining the gateway's (GA) address with a time stamp (SCTS). Although Tarnanen does disclose generating/assigning a

reply address to the SMS message, nowhere in Tarnanen is there any disclosure or suggestion of the address being selected from a multiplicity of available predefined addresses. To the contrary, the temporary source address of Tarnanen is simply generated by combining the current time code stamp with the gateway's address. As a result there is only one possible (i.e., available) address to be assigned in Tarnanen. Therefore, Tarnanen cannot possibly be interpreted as selecting from a multiplicity of available predefined addresses.

Kagi discloses a short message service ordering system. However, Kagi fails to overcome the deficiencies of Tarnanen. Since Tarnanen and Kagi both fail to disclose or suggest assigning a unique reply address to an SMS message from a multiplicity of available predefined reply addresses as claimed, the combination of these two references cannot possibly disclose or suggest said element. Therefore, even if one skilled in the art were motivated to combine Tarnanen and Kagi, the combination would still fail to render claim 19 unpatentable because the combination fails to disclose each and every claimed element.

Claims 21 and 23 depend from independent claim 19. Therefore, claims 21 and 23 are patentable over the combination of Tarnanen and Kagi for at least those reasons presented above with respect to claim 19. Reconsideration and withdrawal of the rejection of claims 19, 21, and 23 is respectfully requested.

In paragraph 9 of the Action, the Examiner rejects claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Tarnanen in view of Kagi, further in view of U.S. Patent Application Publication No. 2002/0080822 to Brown et al. ("Brown"). Claim 20 has been canceled, rendering this rejection moot.

In paragraph 10 of the Action, the Examiner rejects claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Tarnanen in view of Kagi, further in view of U.S. Patent Application Publication No. 2002/0165000 to Fok. Applicant respectfully traverses this rejection.

Claim 22 defines a network server configured to perform the method of claim 19. Accordingly, claim 22 is patentable over the combination of Tarnanen and Kagi for at least the reason that the combination fails to disclose or suggest assigning a unique reply address to an SMS message from a multiplicity of available predefined reply addresses as claimed. Fok

discloses a wireless communications device that logs on to an instant messaging service through a proxy server. However, Fok fails to overcome the deficiencies of Tarnanen and Kagi.

Since Tarnanen, Kagi, and Fok each fail to disclose or suggest assigning a unique reply address to an SMS message from a multiplicity of available predefined reply addresses as claimed, the combination of these three references cannot possibly disclose or suggest said element. Therefore, even if one skilled in the art were motivated to combine Tarnanen, Kagi, and Fok the combination would still fail to render claim 22 unpatentable because the combination fails to disclose each and every claimed element. Reconsideration and withdrawal of the rejection of claim 22 is respectfully requested.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle Reg. No. 46,607 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By Penny Caudle #46,607
Michael K. Mutter
Registration No.: 29,680
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000